

79th General Assembly

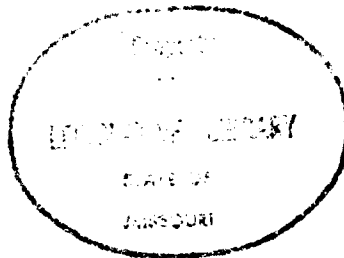
1st Regular Session

1977

CLASSIFIED INDEX

TRULY AGREED TO AND FINALLY PASSED

HOUSE AND SENATE BILLS



COMMITTEE ON LEGISLATIVE RESEARCH

Accountants
Administration of Estates
Agriculture
Ambulance Districts
Appropriations
Auditor, State

Boats and Watercraft
Bonds

Community Affairs
Constitutional Amendments
Corporations
Corrections, Division of
Counties and County Officers
Courts
Credit Unions
Crimes and Punishment

Damages
Domestic Relations
Drainage and Levee Districts

Easements and Conveyances
Elections
Employee-Employer
Employment Security

Fairs
Family Services, Division of
Financial Institutions
Firemen
Fire Marshal, State
Fire Protection Districts
Funerals and Funeral Directors

General Assembly

Handicapped Persons
Health, Division of
Highway Commission

Income Tax
Industrial Development
Insurance

Jails
Judges and Commissioners
Juries

Labor and Industrial Relations
Licenses
Liquor

Majority, Age of
Military Forces and Veterans Affairs
Motor Vehicles

Natural Resources, Department of
Notary Public
Nursing and Boarding Homes

Pharmacists
Physicians
Police
Probation and Parole
Professional Engineers
Public Officers
Public Service Commission

Railroads
Retirement Benefits

Sales Tax
Soil Conservation
Schools
Special Districts
State Tax Commission
Sunday Sales
Surveyors

Taxation and Revenue
Treasurer, State

Workmen's Compensation

ACCOUNTANTS

S.B. 100 -- Webster

Chapter 326 regulating accounts is extensively rewritten. All rules promulgated by the board of accountancy expire after two years unless approved by the general assembly and the governor. All rules and the authority to promulgate them expire November 30, 1981. Approved 6-15-77

ADMINISTRATION OF ESTATES

H.B. 366 -- Thomas, et al

Repeal section 137.145, RSMo, relating to the assessment of tangible personal property of estates in the probate court. Approved 7-29-77

H.C.S. for S.B. Nos. 142 and 433

Estates of minors, and persons over the age of 21 who have been adjudicated incompetent, which do not exceed \$5,000 may be administered without the appointment of a guardian. The guardian is also not required to post bond. Approved 6-15-77

AGRICULTURE

H.B. 167 -- Kaye, et al

Grain dealers are to be licensed and regulated by the Mo. department of agriculture. No person is to engage in grain dealer business without a license. A surety bond or notarized financial statement evidencing financial soundness must be filed prior to issuance of a license. The cost of administration of the act is not to exceed the amount of fees collected. Anyone licensed and bonded under the state or federal warehousing law is exempt from the provisions of this act. Records maintained by the department under this act are closed records and not subject to public inspection. A sunset provision is included which terminates all authority to promulgate rules and regulations on November 30, 1981. Approved 7-28-77

H.C.S. for H.B. 248

Missouri livestock dealer law which is to be administered by the department of agriculture and the state veterinarian. Livestock dealers are to maintain certain records. Veterinarian is to have access to these records in order to discover diseased livestock, the source of the disease or other livestock that may have contracted the disease. A sunset provision is included requiring approval of all rules issued by the governor and general assembly and terminating the authority to promulgate rules on November 30, 1981. Approved 7-29-77

AGRICULTURE (continued)

- H.B. 297 -- Russell (6th)
Elections to terminate a county as a Johnson grass extermination county are not to be conducted more often than once every two years. A person undertaking a Johnson grass control program may bring a civil action against any land owner whose land is adjacent or within 100 feet of his land. He may be granted an injunction and recover \$500 actual damages and attorney fees. Previously only persons not undertaking a Johnson grass control program could bring this civil action. App.7-6-77
- H.B. 665 -- Osbourn, et al
Missouri pesticide act amended to comply with federal requirements. Certified noncommercial applicators and certified public operators are brought within the provisions of the act. Defines misuse of a pesticide. Director of agriculture is to annually publish a list of agricultural pesticides with restricted uses. Director to get a search warrant if he is denied access to premises he wishes to inspect. A sunset amendment is attached requiring all rules issued under chapter 286, to be approved by the governor and the general assembly and terminating all rules promulgated and the authority to promulgate rules under this act on November 30, 1981. Approved 7-6-77
- S.B. 75 -- Tinnin and Merrell
Mo. grain warehouse law recodified. Any person licensed under the U.S. warehouse act is exempted from the provisions of this bill. A sunset amendment is included which terminates the power to issue rules and regulations under chapter 411 on November 30, 1981. Approved 6-8-77
- S.B. 86 -- Tinnin
State apiary law. No bees or bee equipment are to be moved into this state without a valid permit issued by director of the department of agriculture. Diseased bees may be eradicated by the director if the owner fails to do so, however, the owner is to be compensated for his loss. Rules promulgated under provisions of chapter 536 expire two years after promulgation unless approved by the general assembly and the governor. A sunset amendment is attached which terminates the power to promulgate rules under this act on November 30, 1981. Vetoed 8-12-77
- S.B. 330 -- Tinnin
Notice to producers of a commodity which is proposed to be included in a commodity merchandising council is to be published in publications having a circulation of not less than 75,000 rather than 100,000. A majority vote required to approve a petition to establish a commodity merchandising council, and those voting in favor must represent a majority of the production of all registered producers. Approved 6-14-77

AMBULANCE DISTRICTS

H.B. 278 -- Baker

Procedure for filling vacancies on the board of directors of an ambulance district. If one or two vacancies exist, the remaining members of the board shall fill the vacancies. If the remaining members cannot agree or if more than two vacancies exist, the county court shall appoint persons to the board. Approved 6-8-77

APPROPRIATIONS

H.B. 1 -- Goode

Appropriate money from seminary moneys fund for use of University of Missouri, from state public school fund to state board of education, and from second state building bond interest and sinking fund for use of the state board of fund commissioners. Approved 5-3-77

C.C.S. for H.B. 2

Payment of salaries and other expenses of the state board of education and of the department of elementary and secondary education. Approved 6-29-77

C.C.S. for H.B. 3

Payment of salaries and other expenses of the department of revenue and the several divisions thereof. Approved 6-29-77

C.C.S. for H.B. 4

Payment of salaries and other expenses of the civil officers and employees of the state. Approved 6-29-77
line veto

C.C.S. for H.B. 5

Payment of salaries and other expenses of the department of mental health. Approved 6-29-77

C.C.S. for H.B. 6

Payment of salaries and other expenses of the department of social services. Approved 6-29-77 - line veto

C.C.S. for H.B. 7

Payment of salaries and other expenses of the department of higher education, state universities and colleges. Approved 6-29-77 - line veto

H.C.S. for H.B. 8

Payment of salaries and other expenses of the members and committees of the general assembly. Approved 6-29-77

C.C.S. for H.B. 10

Appropriate money for capital improvements and other purposes for the several departments of state government, from designated funds. Approved 6-29-77

APPROPRIATIONS (continued)

C.C.S. for H.B. 16

Appropriate money for emergency and supplemental purposes for the several departments and officers of state government and for various claims and refunds.

Approved 5-18-77

AUDITOR, STATE

H.B. 720 -- Shear

State auditor is to determine the amount over which nonexpendable property in the possession of state agencies is to be identified and marked. Approved 6-1-77

S.B. 357 -- Snowden

State auditor is permitted to endorse bonds issued by counties, townships, cities, towns, villages, school districts, special road districts, drainage districts, levee districts or sanitary drainage districts by facsimile signature if his manual signature is filed with the secretary of state. Approved 7-27-77

BOATS AND WATERCRAFT

H.B. 176 -- McCubbin and Hedrick

Specify types of lights, life saving equipment, fire extinguishers and sounding devices required to be on motorboats. Water safety officers are authorized to take action necessary for the safety of persons aboard motorboats not meeting these requirements or being operated in an unsafe manner, and are authorized to remove from the water unmanned or unattended vessels which create hazardous conditions. Approved 7-19-77

H.C.S. for S.B. 151

Operating a motorboat in any manner or under any condition so that it emits a sound exceeding 86 decibels at a distance of 50 feet is declared to be unlawful. Except motorboat regatta, races, parades or exhibitions and trial runs or official trials in competition for speed records held not more than 24 hours before the regatta, race, etc. Approved 7-6-77

S.B. 194 -- Melton, et al

Abolish Mo. Boat Commission. All water patrolmen are to be appointed by the division of water safety and placed under the merit system. Expands water areas under jurisdiction of the water patrol. Approved 7-19-77

BONDS - Also see CONSTITUTIONAL AMENDMENTS

- S.B. 416 -- Scott and Murphy
Negotiable notes, bonds or other instruments issued by the bi-state development agency may bear maximum interest of 8%. Approved 7-18-77

COMMUNITY AFFAIRS

- H.B. 254 -- DeCoster
The definition of "political subdivision" for purposes of chapter relating to community affairs is amended to not include local public bodies exercising governmental functions. Vetoed 8-12-77

CONSTITUTIONAL AMENDMENTS

- H.J.R. 8 -- Youngdahl
Games or contests of skills or chance would be permitted if no consideration is required to participate. The definition of lottery or gift enterprise is narrowed to require the direct exchange of money or something of value for the ticket or chance to participate in the contest. This amendment, if adopted, would permit contests such as Readers Digest and Publishers Clearinghouse give-aways.
- H.J.R. 21 -- Riley, et al
Political subdivisions are authorized to establish joint boards, commissions, contracts or officers to issue and sell revenue bonds for the construction, improvement, extension or purchase of revenue producing (1) water, gas, electric, heating or power plants; (2) industrial development projects or (3) airports. The joint board, commission or officers may not purchase, construct, extend or improve any of the plants in (1) without having the plants regulated as public utilities.
- S.S. for S.J.R. 4
Allow Boone county to adopt a county charter by permitting counties having a population in excess of 80,000 in addition to counties already permitted to adopt a charter.
- S.J.R. 14 -- Snowden
Allow counties to issue revenue bonds to facilitate the construction and operation of airports and utilities owned by the county, with majority voter approval. The amendment would also permit the issuance of revenue bonds to assist in the construction and operation of industrial, manufacturing, commercial and warehousing facilities, upon majority vote of governing body of the county, city or incorporated town or village.

CONSTITUTIONAL AMENDMENTS (continued)

S.J.R. 18 -- Melton

If the reapportionment commission for the state house of representatives or the senate is unable to complete its work in the time required, a commission of six judges of the appellate courts is to reapportion the body not reapportioned. Previously, the commissioners of the supreme court were charged with this duty. The chairman of the state committee of each political party casting the highest vote for governor at the last election is to nominate three persons to be on the committee. The governor is then to appoint those six judges as the commission.

S.J.R. 19 -- Merrell

Allow state treasurer to invest state funds in time deposits of up to two years maturity (rather than one year), in savings and loans as well as banks, and in U.S. government obligations maturing in two years. The treasurer may invest funds of political subdivisions or other state agencies as permitted by law. The treasurer may also enter repurchase agreements secured by the U.S.

CORPORATIONS

S.C.S. for S.B. 115

New laws relating to the internal organization and operation of general and business corporations. Directors may be selected as provided in the bylaws rather than the articles of incorporation. Other changes include the length of time an irrevocable proxy is valid is shortened, method of changing registered agents, stockholder approval of mergers, action by board of directors or committee thereof, and the number of offices in the corporation one person can hold. Approved 7-28-77

CORRECTIONS, DIVISION OF

S.B. 139 -- Schneider

Director of division of corrections to be appointed and salary set by director of department of social services. Approved 7-27-77

COUNTIES AND COUNTY OFFICERS

H.C.S. for H.B. Nos. 38, 219 and 244

Assessed valuation necessary to automatically become a 1st or 2nd class county raised. Voters in 2nd and 3rd class counties are allowed to vote on whether to retain the classification of their county after the county reaches an assessed valuation permitting the county to be classed as a 1st or 2nd class county. Approved 6-8-77

C.C.S. for S.S. for H.B. 286

County courts in all 2nd class counties may establish speed limits on county roads not within an incorporated

COUNTIES AND COUNTY OFFICERS (continued)

city, town or village lower than otherwise set by law. After the road is properly marked, the speed limit posted becomes effective. Approved 7-19-77

H.B. 378 -- Proffer and Maddox
Board of trustees of any county hospital may employ legal counsel to represent the hospital other than the prosecuting attorney, circuit attorney or county counselor. Approved 7-27-77

C.C.S. for S.B. 9
County collector in Marion county may retain three-fourths of one percent of all taxes he collects, but he is to pay into the county treasury all moneys in excess of the amount necessary to pay personnel costs in his branch office. Collector currently may retain any excess over the amount necessary to run the office. Collectors in 3rd and 4th class counties to retain no more than \$10,000 for mailing tax statements and receipts, Marion county \$12,000. Collectors in all counties except township and 1st class noncharter counties are limited in the amount they may retain. The number of categories of collectors is reduced from 14 to 3. Percentage the collector may retain is increased, but restricted to \$10,000, and all excess to the county treasury. Collectors in 3rd and 4th class counties, not having township organization, where the amount assessed is less than \$2 million are given additional compensation for an additional duty. Approved 7-27-77

S.B. 112 -- Bradshaw, et al
Increase fees which recorders are permitted to charge. Sets standards relating to size, legibility and contents for documents to be recorded. Approved 6-14-77

S.B. 120 -- Gannon and Wiggins
Magistrate court clerks, deputy clerks and employees, raises amount state may pay. No increase is given the chief clerk of Greene county magistrate court. Magistrate also means associate circuit judge. State funds may go to county employees in the magistrate court. Approved 7-7-77

C.C.S. for H.C.S. for S.B. Nos. 122 and 289
County collector, auditor and sheriff in all 2nd class counties given additional duty and receive additional annual compensation of \$3,000. Collector to certify amount of state and county current and delinquent taxes; auditor to report finds of his newly required audit of investment programs of county and special road districts; sheriff to develop and make available to all county residents a system of identification for their property. Approved 7-7-77

COUNTIES AND COUNTY OFFICERS (continued)

S.B. 277 -- Snowden

State to pay one-half of the salaries of all county and township assessors and their personnel for 1976. Thereafter the state shall pay not more than 5% above the previous year's amount or one-half the salaries for the year, whichever is less. State will also use the same formula to help pay for the costs and expenses of the assessor of each county, township and St. Louis city in making the assessment and preparing abstracts of assessment lists and tax bills. Effective 1-1-78
Approved 7-26-77

S.B. 314 -- Manford

Greene and Clay counties given authority to borrow an amount not to exceed 95% of the estimated collectible taxes and revenues for the year not yet collected. The county is to issue county tax anticipation notes in exchange for the money, but no money is to be borrowed if general revenues are on hand sufficient to pay the general operating expenses. Approved 7-19-77

S.B. 461 -- Wiggins

County clerks no longer required to maintain county ward book containing information on persons sent to eleemosynary institutions. Approved 7-19-77

COURTS

H.B. 97 -- Youngdahl

Increase law library fee authorized to be collected by judges of the circuit court or court of common pleas in 2nd, 3rd and 4th class counties. Approved 6-8-77

H.B. 161 -- Sweeney, et al

Increase amount judges of circuit courts in class one counties can assess for maintenance of law libraries from \$3 to \$5. Approved 6-8-77

H.B. 175 -- McCubbin and Lynn

A minister of the gospel, priest, rabbi or similar person is declared incompetent to testify concerning any communication made to him in his professional capacity. Approved 7-15-77

H.C.S. for H.B. 180

Funds placed in the registry of any circuit court, court of common pleas or magistrate court may be deposited in savings deposits or U.S. treasury bills upon request of one of the parties or order of the court. The funds and interest earned, less necessary costs of depositing and administering the fund, are to be part of the principal. If a party does not apply to have the funds in the registry deposited, the clerk of the court may deposit them and use the income derived for specified purposes. Approved 6-8-77

COURTS (continued)

- H.B. 241 -- O'Toole, et al
Speedy trial bill. All defendants in criminal cases are to be arraigned within 10 days of being charged. Trials are to commence within 180 days of the arraignment. Specified periods of delay are excluded from the computation of 180 days. If the prosecution fails to arraign the defendant or conduct the trial in the times prescribed, the judge may dismiss the information or indictment of the defendant upon motion of the defendant. Specifies factors the judge is to consider when deciding to dismiss the case. Approved 7-28-77
- H.B. 471 -- Smith (157th)
A plaintiff seeking an injunction may deposit with the court a sum of money the court requires in lieu of posting a surety bond. Approved 7-27-77
- S.B. 121 -- Gannon, et al
Juvenile court employees compensation raised and consolidated into one schedule, however, the amount specified in the bill for employees in 2nd, 3rd and 4th class counties includes any other compensation authorized by law. State aid for salaries of juvenile court personnel increased. In St. Louis county and Jackson county a majority of the circuit judges may appoint one or two juvenile court commissioners. In St. Louis city a majority of the circuit judges may appoint only one commissioners. Commissioners serve 4 year terms, devote full time to duty, receive \$33,000 compensation, and must have same qualifications as a circuit judge. Effective 1-1-1978. Approved 7-7-77
- S.B. 478 -- Gannon and Dinger
All magistrate courts are given jurisdiction to hear applications for hardship driving privileges. Previously, only those magistrate courts in a multicounty judicial circuit had jurisdiction. Approved 6-1-77

CREDIT UNIONS

- H.C.S. for H.B. 48
Credit unions are permitted to contract for group insurance plans, to exercise all powers a federally chartered credit union may, to hold membership in central credit unions and to invest funds in shares of corporations. Increase amount of additional assessment the director of division of credit unions is allowed to charge. Authorize central credit unions and credit union share guaranty corporations. Every credit union to become a member of a credit union share guaranty corporation or be insured by the national credit union administration. The purpose of the credit union share guaranty corporation is to assist in credit union insolvency, nonliquidation, consolidation and merger. Approved 6-8-77

CRIMES AND PUNISHMENT

- H.B. 90 -- Griffin, et al
Capital punishment is reinstated. Provisions designed to conform to the laws of Florida and Georgia which were upheld by the U.S. Supreme Court. All capital trials are to consist of two parts: (1) a trial as to whether the defendant is guilty of capital murder; (2) if he is guilty of capital murder, a trial as to whether the defendant should be subject to capital punishment. The jury in the latter trial is to find one of the specified aggravating circumstances and consider any mitigating circumstances. An automatic appeal to the Mo. Supreme Court is given. Approved 5-26-77
- H.B. 288 -- Fickle
Unlawful to destroy, injure or tamper with valves, pipelines, mains or hydrants belonging to any person, firm, municipal corporation, public water supply district or corporation producing, transporting, storing, distributing or selling electricity, gas, water or cable television service. Interference with the proper functioning of a meter or other device which results in a diversion of electricity, gas, water or cable television is a misdemeanor. Vetoed 8-12-77
- H.B. 341 -- Schlef and Meyer
Public drunkenness is not to be considered a crime. No county or municipality is to pass any ordinance making public intoxication or being a common or habitual drunkard or alcoholic a crime. A peace officer observing an incapacitated or intoxicated person may take the person to his residence or other appropriate local facility, including a jail, for up to 12 hours of custody. Approved 7-27-77
- H.B. 502 -- Vossmeier, et al
Evidence concerning prior sexual conduct of a complaining witness is limited in prosecutions for rape, attempt to commit, or conspiracy to commit rape. Evidence of this type is admissible for certain purposes to the extent the court finds the evidence relevant. Before evidence of this type can be offered, a written motion must be made to the court accompanied by an offer of proof or an offer of proof on the record outside the hearing of the jury. The in camera hearing is to be recorded and the court is to set for the reasons for its ruling. Approved 7-6-77
- S.B. 60 -- Murray, et al
Recodification of Missouri's criminal laws. Sentencing procedures, statutes of limitation, habitual offender provisions, recognized defenses and computation of prison time are included as well as definitions of crimes and infractions. The code does not include capital murder provisions. Effective 1-1-79. Approved 7-6-77

CRIMES AND PUNISHMENT (continued)

- S.B. 92 -- Webster, et al
Record and tape piracy are declared to be illegal. The first offense is a misdemeanor. Subsequent offenses are felonies. Selling pirated tapes and records, and selling tapes and records whose outside cover does not contain the manufacturer's name and address and the performers name are misdemeanors. Approved 6-14-77
- S.B. 96 -- Webster
Telephone service fraud and electronic telephone fraud are made misdemeanors. Second offense is a felony. This is to prevent use of devices which prevent proper billing for telephone service. Approved 6-8-77

DAMAGES

- S.B. 147 -- Bild
A cause of action for property damage, personal injuries or wrongful death of either the injured party or the wrongdoer. If the injured party dies, the cause may be tried by the fiduciary of the estate. If the wrongdoer dies, the cause may be defended by the executor or administrator of the estate if assets subject to probate administration exist. If no assets exist other than the deceased wrongdoer's insurance against liability for damages, the probate court shall appoint a defendant ad litem who shall serve as the named party defendant. The bill does not affect those causes of action pending on September 28, 1977. Approved 7-28-77

DOMESTIC RELATIONS

- H.B. 470 -- Smith (157th)
Eliminate notice requirement to a party to an action for dissolution of marriage where the party does not deny that the marriage is irretrievably broken. Approved 6-8-77
- S.B. 430 -- Cox, et al
Grandparents may petition the juvenile court to obtain visitation rights to grandchildren if a surviving spouse refuses visitation. As part of an order granting custody to a spouse as a result of a dissolution of marriage, court may grant reasonable visitation rights to grandparents of the child. Approved 6-1-77

DRAINAGE AND LEVEE DISTRICTS

- S.B. 2 -- Merrell
Drainage districts permitted to adopt supplemental plans of reclamation. A tax may be levied on the district's assessed benefits to pay for the plan. Bonds to pay for the plan may be issued not to exceed 90% of the additional assessed benefits if owners of 2/3 of the acreage in district having benefits assessed against it approve. Owners of 25% of acreage in district may petition for

DRAINAGE AND LEVEE DISTRICTS (continued)

readjustment of assessed benefits. Board of supervisors may levy a tax to pay for the supplemental improvements to and completion of the original plan in an amount which when added to the levy made for the original plan does not exceed the readjusted assessed benefits. The board may also issue bonds in an amount not to exceed 90% of the taxes levied to pay for the completion of the original and supplemental plan.
Approved 5-3-77

- S.B. 3 -- Merrell
Levee districts. The provisions of S.B. 3 are the same as the provisions of S.B. 2 pertaining to drainage districts. See S.B. 2 above. Approved 5-18-77

EASEMENTS AND CONVEYANCES

- H.B. 224 -- Kelly
Convey land in Wright county, formerly occupied by the state poultry experiment station, to the city of Mountain Grove for public purposes. If Mountain Grove ever relinquishes control of the land it shall revert to the state. Approved 6-15-77
- H.B. 465 -- Hill
Give Mo. Power and Light Company a lease to certain land on the campus of the Northeast Missouri State University for use of an electrical transformer substation.
Approved 8-11-77
- S.B. 1 -- Merrell
Convey three parcels of land located in Monroe county containing approximately 617 acres and the right of the U.S. to flood approximately 17 additional acres, to the U.S.A. The state will retain an interest in all lands conveyed for highway right-of-way and will receive approximately 607 acres in exchange from the U.S.A.
Approved 5-3-77
- H.C.S. for S.B. 488
Convey certain land in Lafayette county to the department of natural resources. The department is authorized to move the Confederate Chapel of Higginsville from grounds of the department of mental health. No state funds are to be used to move the chapel, restore, or relocate it, but not-for-profit groups or organizations may be permitted to renovate and restore the chapel.
Approved 8-11-77

ELECTIONS

H.B. 100 -- Wallis

Repeal provision prohibiting persons from using motor vehicles to transport voters to the polls. A change is made to reduce the voting age to 18. Approved 7-15-77

S.S. for H.B. 101

Election laws of Missouri recodified and known as comprehensive election act of 1977. County clerks given a pay raise. Effective 1-1-1978. Approved 7-28-77

H.C.S. for H.B. 301

Set rate and method of determining compensation for various employees of the St. Louis county board of election commissioners. Deputy election commissioners and all other employees except counselor to have their position classified and be compensated at the same rate and classification as county merit employees. Judges and clerks of registration and election to receive \$30 per day. Two of the election judges to be appointed supervisory judges for an election, receive \$35 per day, and be reimbursed 15 cents a mile if they use a private vehicle. Approved 7-6-77

H.B. 328 -- Mead, et al

Eliminate all references to using the black patch on election ballots in order to conform with the amendment to Article VIII, Section 3 of the constitution approved by the voters on August 3, 1976. (e.c.) Approved 3-24-77

H.C.S. for S.B. 97

Prescribes method of numbering and writing ballot titles for constitutional amendments and measures submitted by initiative and referendum. Constitutional amendments proposed by the general assembly and by initiative petition are to be numbered consecutively 1 to 10, 21 to 30, etc. Initiative or referendum measures to be known as propositions and numbered consecutively from 11 to 20, 31 to 40, etc. All measures are to have a fiscal note prepared by fiscal affairs when submitted. Ballot titles are not to exceed 35 words. Committee on legislative research shall write ballot titles for measures proposed by general assembly, attorney general for all others. Methods of verifying signatures submitted by petition and rights of appeal. Approved 6-14-77

S.B. 273 -- Wilson

Sample primary election ballots to list candidates in order in which they file rather than alphabetically. The number of ballots to be printed for the primary for a new party which qualifies to participate in the primary shall be determined by the county clerk. Approved 5-26-77

EMPLOYEE-EMPLOYER

S.S. for H.B. 333

Authorize a deduction from state employees' paychecks for collective bargaining dues or contributions to joint, community-wide or nation-wide charities upon the employee's written authorization to do so.
Approved 7-27-77

H.B. 482 -- Proffer

Public employees participating in a deferred compensation program are no longer required to consent to the manner in which the deferred compensation is invested.
Approved 6-8-77

S.B. 98 -- Webster and Merrell

Appointing authorities under the state merit system may give notice of dismissal to an employee by registered or certified mail. Approved 5-26-77

EMPLOYMENT SECURITY

H.B. 707 -- Riley

Employment security law amended to comply with federal requirements. Employment includes certain services performed by some persons in domestic services, agricultural and government employment. Certain extended benefits are increased. The contribution rate is to be applied to the first \$6,000 of remuneration rather than the first \$4,500. A sunset provision is included requiring regulations issued pursuant to chapter 288, RSMo to be approved by the governor and the general assembly. All authority to promulgate regulations pursuant to this act terminates November 30, 1981. Approved 6-14-77

FAIRS

S.B. 431 -- Ryan

Admission fees to the Mo. state fair for persons in excess of 6 years of age are increased to \$1.50. (e.c.)
Approved 7-6-77

FAMILY SERVICES, DIVISION OF

H.B. 462 -- Griffin, et al

Upon the death of any recipient of public assistance from the division of health, division of family services, department of mental health or a county court, the amount expended on his behalf is a debt due from his estate. The debt is to be collected as provided by the probate code and is a claim of the fifth class (the lowest priority claim). The claim is not to be filed in certain circumstances. Approved 7-27-77

FAMILY SERVICES, DIVISION OF (continued)

H.B. 578 -- Sego and Rojas

State to pay for all foster home care for all ^{first class} counties and city of St. Louis. Includes room, board, clothing, medical care, dental care, social services and incidentals. Rules and regulations of the division of family services promulgated pursuant to chapter 207 expire two years after promulgation unless approved by the governor and the general assembly. Authority of the division to promulgate rules expire November 30, 1981. Effective 1-1-78. Approved 6-14-77

C.C.S. for H.B. 601

Parent locator system established in division of family services to comply with federal regulations. Recipients of ADC are required to assign all rights of support to the division. All support payments assigned to the division are to be made to the clerk of the county ordering the support payments as trustee for the division. The prosecuting attorneys of the state are to enforce support orders of the court, additional compensation. ADC payments are to be made on the basis of need but not to exceed specified maximums. Child support enforcement fund is established. Clerks of courts of common pleas and circuit clerks, except clerks in counties of the 1st class, are to receive additional compensation. An obligation of support is placed on stepparents of children living in the same home as the stepparent. Natural or adoptive parent is liable to the stepparent for the money the stepparent expended because of the parents refusal to pay court ordered support. (e.c.) Approved 6-8-77

S.B. 334 -- Banks

Medicaid payments may be made for orthopedic devices or other prosthetics, including eye glasses, dentures, hearing aids, and wheel chairs. Approved 7-12-77

FINANCIAL INSTITUTIONS

S.B. 420 -- Welliver and Webster

Numerous changes are made in the laws relating to banks and trust companies. Bank examinations by the director of finance may be made on the basis of examinations by the FDIC or federal reserve board or audits made by CPA's. The FDIC is to be appointed the liquidating agent of any bank insured by it. Trust companies may provide in its articles of agreement that it will not accept demand deposits. Trust companies may purchase stock in certain companies. Board of directors is to determine the minimum amount, not greater than \$10,000 of a loan which is to be reviewed by the board. Residency requirements of directors. The effect of maintaining a joint tenancy account is clarified. Safe deposit corporations may be established. On small loans, interest of \$10 may be charged. Approved 7-29-77

FINANCIAL INSTITUTIONS (continued)

S.C.S. for H.B. 40

Financial institutions are prohibited from requiring debtors to purchase life or health insurance from an insurance agent who is employed or retained by the institution or is a director or officer of the institution. License refused if it will be used by the financial institution. Institutions are to inform the debtor he may obtain insurance to secure loan from any licensed agent or insurer or may present insurance already procured. Approved 7-28-77

S.B. 105 -- Webster

Persons amending a registration statement relating to securities issued by a face-amount certificate company or a redeemable security issued by an open-end management company or unit investment trust must pay a filing fee and a registration fee. Commissioner of securities may, by rule, designate persons for registering securities who are agents or broker-dealers. Security includes a limited partnership interest and any contract or bond for sale of any interest in real estate on deferred payments or on installment plans when the real estate is not located in this state. Certain exemptions from the securities registration law. Approved 7-27-77

S.B. 250 -- Gant (16th) and Jones

State and national banks and trust companies are permitted to establish a common trust fund for the purpose of furnishing investments to themselves and other banks and trust companies acting as fiduciaries or cofiduciaries. No investment can be made in the common fund unless all cofiduciaries consent and the investment is not prohibited by the document creating the fiduciary relationship. Approved 6-2-77

S.B. 317 -- Merrell

All loans to one person by one lender do not have to be added together to determine if the lender can charge interest under the small loan law. Only loans of a similar type are added together. There are three types of loans: closed and credit contracts evidencing loans of at least \$2,500 for the purchase of goods or services pursuant to a single contract of purchase; open-end credit contracts other than those for which a credit card is issued; and open-end credit contracts under which a credit card is issued. Approved 8-11-77

S.C.S. for S.B. 326

Banks and trust companies acting as administrators or executors under a will or as trustee under a testamentary or inter vivos trust are exempt from the provisions restricting corporations from engaging in farming if the

FINANCIAL INSTITUTIONS (continued)

trust is not formed with the primary purpose of making or managing investments or income producing property and purchasing agricultural real estate for the benefit of the investors or shareholders in the trust.
Approved 7-29-77

FIREMEN

H.B. 308 -- Zych and Egan
St. Louis city firemen may retire after 25 years service at full benefits or after 20 years of service at reduced benefits, or at age 60 if they qualify for a service retirement allowance of 70% of his average annual compensation for the last three years of service.
Approved 7-6-77

FIRE MARSHAL, STATE

S.S. for S.B. 272
State fire marshal and his paid investigators who have completed at least 240 hours of basic police training as approved by the director of public safety are given limited powers as peace officers. Approved 8-11-77

FIRE PROTECTION DISTRICTS

S.C.S. for H.S. for H.B. 216
All fire protection districts may levy a tax to provide a joint central fire and emergency dispatching service and to finance emergency ambulance services. All fire protection districts in St. Louis county are to cause an audit to be performed pursuant to rules and regulations of the state auditor. Districts with less than \$50,000 annual revenues exempt if certain reports are filed. A sunset provision is included which requires approval by the general assembly of all rules promulgated by the state auditor pursuant to this act. Rules promulgated and the authority to promulgate rules expire November 30, 1981. Approved 7-28-77

S.B. 62 -- Murray
Fire protection districts may provide for the pensioning of salaried members of the organized fire department who become permanently incapacitated as a result of accident or exposure occurring during the performance of duty.
Approved 5-26-77

FUNERALS AND FUNERAL DIRECTORS

H.B. 377 -- Holt
Bodies of dead persons may be removed to any place upon the issuance of a permit by the local registrar. Persons accepting a body for interment or other disposition without a permit are subject to fine. Approved 8-11-77

FUNERALS AND FUNERAL DIRECTORS (continued)

- S.B. 6 -- Merrell, et al
Funeral directing license obtainable for nonresident if a resident in a county contiguous and adjacent to a Missouri county and employed by a funeral establishment in Missouri. Rules and regulations of Missouri statutes governing funeral directing and disposition of dead bodies an examination prerequisite. Applicant for embalming must be a resident or citizen of this state or entitled to a license through reciprocity. Examination in mortuary administration in addition to those subjects previously required. The sunset amendment with an expiration date of November 30, 1981 is included in this bill. Approved 6-14-77

GENERAL ASSEMBLY

- H.B. 519 -- Rothman
Compensation of members of the general assembly increased to \$15,000. Speaker of the house and president pro tem of the senate to receive \$17,500. Speaker pro tem of the house and majority and minority floor leaders of the house and senate to receive \$16,500. Becomes effective 1st session of the 80th general assembly, 1979.
Approved 6-1-77
- S.B. 372 -- Schneider, et al
Per diem expense allowance of members of the general assembly increased from \$25 to \$35. Approved 7-6-77
- S.B. 419 -- Merrell and Cox
The committee on legislative research is made responsible for selling, through the revisor of statutes, the revised statutes and supplements at a cost it determines appropriate. Temporary laws, except appropriation bills, passed by the general assembly are to be printed in the revised statutes and supplements with their termination date. The research director of the committee is made the director and the term is made indefinite rather than for two years. The rooms, offices, equipment and janitors of each house of the general assembly is made the responsibility of the accounts committee of each of the respective houses. Approved 7-15-77

HANDICAPPED PERSONS

- H.C.S. for H.B. 577
Governor's committee on employment of the handicapped is assigned to the department of labor and industrial relations. 25 members of the committee, to be appointed by the director of labor and industrial relations for 4 year terms, chairman to be appointed by governor. Committee to meet not less than 4 times per year. Activities are to be designed to encourage the employment of the handicapped. Approved 7-13-77

HANDICAPPED PERSONS (continued)

H.S. for H.B. 541

Requires school districts to approve education for deaf children ages between 5 and 13. (see schools)
Approved 7-19-77

H.C.S. for S.S. for S.B. 12

Blind and visually handicapped persons are to be given full and equal accommodations on common carriers, housing and other public places. Any person accompanied by a guide dog is liable for any damage done by the dog, but no separate admittance charge is to be made for the dog to any public place, common carrier or housing accommodation. October 15th of each year declared white cane safety day. Blind or visually handicapped persons are not to be discriminated against in employment where public funds are used unless they cannot do the work because of their handicap. Approved 7-11-77

S.C.S. for S.B. 359

Boards of directors of sheltered workshops are authorized to contract with a not-for-profit corporation if the corporation agrees to provide any services the board could provide. Approved 7-26-77

HEALTH, DIVISION OF

S.B. 262 -- Frappier

Repeals many requirements relating to the sanitation of food handling establishments. Employees affected with a communicable disease or while a carrier prohibited from coming into contact with food in any capacity. All establishments engaged in the manufacture or distribution of food to wholesale accounts may register with the division of health. Approved 7-27-77

HIGHWAY COMMISSION

H.B. 185 -- Nilges

Highway department employees permitted to purchase unnecessary or surplus tools or equipment of the highway commission at public sales open to the general public.
Approved 6-8-77

H.B. 703 -- Marriott, et al

See "Retirement Benefits"

INCOME TAX

S.B. 46 -- Frappier

Federal income tax rebates exempt from Missouri individual income taxation. Effective 1-1-78 Approved 7-7-77

H.C.S. for S.S. for S.B. 451

Income tax law amended to reflect the change in federal income tax law. The change in federal law resulted in no standard deduction being stated as it was included in the tax tables. Applies to all taxable years beginning after December 31, 1976. Approved 7-15-77

INDUSTRIAL DEVELOPMENT

S.B. 267 -- Manford

Industrial development corporations may be formed for the purpose of developing commercial, industrial, agricultural or manufacturing facilities. The corporation may not operate the facility, but lease it to others. The corporation may issue revenue bonds upon its passage of a resolution to that effect, payable out of the revenues of the corporation. All public officers and bodies of this state, all insurance companies, banks, trust companies, administrators, guardians, etc., may invest in the notes and bonds of the corporation. Income from and interest on the bonds and notes are exempt from taxation, except for death and gift taxes on transfer. Property of corporation subject to property taxation. Approved 7-13-77

INSURANCE

H.B. 610 -- Curls, et al

Regulation of credit life insurance and credit accident and health insurance. Approved 7-13-77

S.B. 143 -- Bild

School boards permitted to purchase insurance to indemnify school board members against loss for damages, personal injuries and damage of property caused by the members negligence when acting within the scope of his office. Approved 7-19-77

S.C.S. for S.B. 245

Hospitals licensed under chapter 197, RSMo, may obtain liability insurance and automobile insurance for their licensed ambulances, in the same manner they acquire medical malpractice insurance. Approved 7-27-77

S.B. 274 -- Melton

Surplus line insurance and surplus line brokers, licensing and regulations. Surplus line insurance is defined as

INSURANCE (continued)

any direct insurance, other than wet marine and transportation insurance in respect of risks resident, located or to be performed in this state, underwritten by an insurer not possessing a certificate of authority to transact insurance in Missouri. Approved 7-27-77

- S.B. 300 -- Banks
Conditions for cancellation, nonrenewal and refusing to write contracts of insurance providing fire and extended coverage on owner-occupied habitational property not exceeding two families. Commonly referred to as the "redlining bill". Approved 7-15-77
- S.B. 322 -- Schneider and Welliver
Group health insurance policies which provides coverage for hospital treatment shall provide coverage for hospital treatment of alcoholism. Approved 7-7-77
- S.B. 368 -- Wilson, et al
Capital and surplus requirements to commence and continue business as an insurance company are increased. Companies now in existence are exempted until January 1, 1980. Does not apply to fraternal benefit societies, county, town and farmers' mutual property insurance companies, title insurance companies, insurance holding companies or assessment plan medical malpractice insurance companies. Approved 7-29-77

JAILS

- H.B. 427 -- Kostron, et al
Allow the charging of costs of incarceration in criminal cases including a reasonable sum to cover occupancy costs rather than merely the costs of board. Effective 1-1-1978. Approved 7-27-77

JUDGES AND COMMISSIONERS

- H.B. 289 -- O'Toole
Judicial conference is enlarged to include probate, magistrate and retired judges and commissioners. The executive council is enlarged. The number of meetings the executive council can hold is no longer limited to 4 per year and per diem expenses increased to \$25 for attendance at the conference or executive council meeting. Approved 6-1-77
- H.B. 394 -- Thomas, et al
Repeal section 145.340, RSMo, requiring director of revenue to furnish tax books to every probate judge. Approved 7-19-77

JUDGES AND COMMISSIONERS (continued)

H.S. for H.B. 521

Increase judicial compensation. Judges of the supreme court to receive \$50,000; chief justice, \$52,500; judges of the court of appeals, \$47,500; circuit judges, \$45,000; judges of the St. Louis court of criminal correction, \$45,000 (\$22,250 from St. Louis city and \$24,750 from state); probate judges between \$25,000 and \$45,000 depending on population of county and duties; magistrates between \$27,900 and \$33,000 depending on the class and population of the county. Effective 1-1-78. Approved 6-1-77

S.B. 94 -- Webster, et al

Retired judges and commissioners of all state courts are made eligible for the state employees health and life insurance programs if they are entitled to retirement benefits under chapter 476. Approved 7-27-77

S.B. 252 -- Gant (16th) and Wiggins

One division is added to the circuit court of Jackson county, to sit at Kansas City. Division 13 is transferred from Independence to Kansas City. Division 5 is transferred from Kansas City to Independence. Approved 7-11-77

S.B. 364 -- Manford and Wiggins

Commissioner of the probate division of the circuit court in Jackson county and St. Louis county appointed after January 1, 1979 is eligible for the same retirement benefits as all other judges of courts of record of this state. The commissioner in Jackson county is to be appointed by the judges of the circuit court in that county meeting en banc. The commissioner in St. Louis county is to be appointed by the judge of the probate division. Commissioners are appointed to 4-year terms and receive compensation not to exceed that of a circuit judge, which is to be paid from the same source as compensation for the judge of the probate division of the circuit court. Approved 7-11-77

S.B. 373 -- Schneider

Two judges are added to the St. Louis district court of appeals. Approved 7-18-77

S.B. 489 -- Merrell and Welliver

Salary of probate judges is changed from that approved in H.S. H.B. 521. All probate judges in counties having a population of 30,000 or less are to receive \$27,000 regardless of whether a court of common pleas exists in the county or the probate court has two offices. Effective 1-1-78 Approved 7-27-77

JURIES

S.B. 426 -- Panethiere

The number of peremptory challenges of jurors is made uniform throughout the state. Previously in cities of 200,000 or more a greater number of peremptory challenges was permitted. Approved 7-26-77

LABOR AND INDUSTRIAL RELATIONS

H.B. 447 -- Miller, et al

Repeal requirement that every factory and workshop carrying on dusty work and employing women and children to annually limewash or paint the walls. Approved 7-19-77

LICENSES

H.B. 61 -- Binger, et al

Special license plates for one motor vehicle are to be issued free of charge to any person honorably discharged or separated from the armed forces, having a service connected disability entitling him to be awarded an automobile by the U.S., or receiving compensation from the veterans administration for total service connected disability. Approved 4-12-77

H.B. 84 -- Kenton and Kostron

Private employment agencies, licensing requirements and fee increased and made uniform throughout the state. Licensees are to furnish bonds of \$5,000. Agency managers are required to register. Employment agencies are not to engage in certain specified activities or conduct. C.A.R.L. to license. Approved 6-1-77

S.C.S. for H.B. 255

Practice of psychology to be regulated and licensed by C.A.R.L. Establish state committee of psychologists to guide, advise, and make recommendations. A sunset provision is included requiring rules issued pursuant to a section of this act to be approved by the governor and the general assembly and terminating the authority to promulgate those rules on November 30, 1981. Approved 7-28-77

H.C.S. for H.B. Nos. 367, 236, 35 and 503

Personalized license plates may be issued for an additional fee of \$12. License plates to contain the words "show-me state" or "disabled veteran". Two plates for each vehicle except certain commercial vehicles. Plates valid for period of at least 5 years and tabs are issued for years when plates are not. Plates containing word "disabled" to also have international wheelchair accessibility symbol. Persons having so called low numbered license plates in 1976 to have first priority to obtain those same plates. Plates for Missouri senators may have letter "S" and

LICENSES (continued)

number of district, representatives may have letter "R" and number of district. U.S. senators may have USS1 and USS2 designating junior and senior status, representatives in Congress may have USC on their plates. A sunset provision requiring rules of the director of revenue relating to composition of license plates to be approved by the governor and the general assembly and terminating the authority to promulgate rules on November 30, 1981. Approved 7-19-77

LIQUOR

H.B. 266 -- Blassie

Authorize caterers' licenses valid for a period not to exceed 120 hours to persons holding licenses to sell intoxicating liquor by the drink at retail who will serve at a particular function, occasion or event. Wholesalers seeking a license to sell intoxicating liquor or nonintoxicating beer to retailers are required to submit to the supervisor of liquor control additional information concerning products he intends to sell and his area of distribution prior to being issued a license. The supervisor is to issue only one wholesaler license in each area for each brand distributed unless the initial licensee consents to an additional licensee. Brewers and manufacturers are not to grant a geographic area of distribution to more than one wholesaler. Vetoed 8-12-77

MAJORITY, AGE OF

S.S. for S.B. 48

Age of consent for medical care lowered to 18. Minor child may consent for treatment for pregnancy, venereal disease or drug abuse, excluding abortions. Minor may consent for himself if married. Parent, regardless of age, may consent for any minor child. Adult brothers, sisters, or grandparents of minor child may consent if parents are absent. Emergency care may be given to a person if no protest or refusal of consent is made by a person authorized and empowered to consent. Minor is any person under 18 years of age. Approved 7-27-77

MILITARY FORCES AND VETERANS AFFAIRS

H.B. 381 -- Proffer and Heflin

Compensation received by national guardsmen for weekend duty is not to be considered pay for purposes of determining unemployment compensation. (e.c.) Vetoed 6-14-77

MILITARY FORCES AND VETERANS AFFAIRS (continued)

- H.B. 384 -- Proffer and Heflin
A public employee who is a member of the national guard or reserve component of the armed forces is not to be penalized in any manner regarding pay, promotion or other employment benefits when he is called to duty by the governor and adjutant general regardless of length of time. Previously a penalty could be assessed after 15 days. Approved 7-27-77
- H.B. 478 -- Proffer
Name changed from Federal Soldiers Home at St. James to Missouri Veterans Home. Director of veterans affairs to appoint superintendent. Specifies who is entitled to admission and method of determining cost. Approved 7-27-77
- H.B. 479 -- Proffer
Director of veterans affairs to be appointed and salary set by director of department of social services, with advice and consent of the veterans board. Abolish advisory committee of veterans affairs, but the members are to become members of the veterans board consisting of 6 to 9 members appointed for 3 year terms. Members of the board may be removed by director of social services. Salaries of employees to be consistent with merit system. Approved 7-27-77
- S.B. 124 -- Gannon and Gant (9th)
Those reenlisting or extending their enlistment in the Mo. national guard shall receive a bonus of \$100 per year, to a maximum of \$600 total. A proportional repayment of any bonus given is required if the period of reenlistment is not complete. No repayment is necessary if guardsman dies or becomes disabled. If the draft is reinstituted no bonus shall be given. Approved 6-8-77

MOTOR VEHICLES

- H.B. 79 -- Sharp, et al
Bicycles are required to be properly equipped with brakes, lights and reflectors. Bicyclists are subject to all rules of the road that motor vehicles are subject to. Violations by those 17 or over are infractions subjecting the person to fine. If a person under 17 violates the provisions, his bicycle may be impounded for not to exceed five days. Approved 7-6-77
- H.B. 186 -- Nilges
Commercial vehicles with a gross weight of 12,000 pounds or less not required to stop at official weigh stations unless directed to do so by peace officer. Approved 6-8-77
- H.B. 220 -- Copeland
Vehicles approaching railroad grade crossing to stop within 15 feet of the crossing if signals indicate an approaching train. A person may drive his vehicle through, around or under a crossing gate or barrier if he can do so safely. Violation is a misdemeanor with a fine not exceeding \$200. Approved 7-12-77

MOTOR VEHICLES (continued)

H.C.S. for H.B. 375

55 miles per hour uniform maximum speed limit upon roads and highways. Expires January 1, 1980.
Approved 7-6-77

H.C.S. for S.B. 164

The weight a bus may have on one axle is increased from 18,000 pounds to 20,000 pounds, and the weight a bus may have on a tandem axle is increased from 32,000 pounds to 34,000 pounds. Approved 6-8-77

S.B. 180 -- Banks

Transferor of motor vehicle shall enter the odometer reading above his signature on the title. If vehicle is previously untitled, the true mileage unknown, or believed to be incorrect, an affidavit shall accompany the title. Violation or conspiracy to violate is a misdemeanor, and subsequent violations a felony. Dealer or manufacturer subject to license cancellation.
Approved 6-8-77

NATURAL RESOURCES, DEPARTMENT OF

C.C.S. No. 2 for H.B. 318

Missouri hazardous waste management law, to be administered by the hazardous waste management commission within the department of natural resources. Hazardous waste is any waste or combination which the department determines may pose a present or potential threat to the health of humans or other living organisms. Requires licenses and permits for facilities and the transportation of hazardous wastes. Exceptions. A sunset provision is included requiring approval of all rules promulgated and terminating the authority to promulgate rules on November 30, 1981.
Approved 7-15-77

H.C.S. for H.B. 492

General assembly is authorized to appropriate funds to the clean water commission of the department of natural resources for the control of storm water in St. Louis county and St. Louis City. (e.c.) Approved 6-15-77

H.B. 190 -- Nilges

Director of the department of natural resources is given the duties and jurisdiction formerly held by the park board relating to establishment and operation of facilities on park lands. Removes provision that net profits of contractor in excess of \$17,500 be paid to state.
Approved 6-8-77

NOTARY PUBLIC

S.S. for H.B. 513

All notaries public may perform notarial acts anywhere within the state. Commissioning of notaries is transferred to the secretary of state. Notaries must be at least 18 years of age and meet other requirements including residency and education. Applicants to furnish surety bond of \$10,000. Commissions are valid for 4 years, specifies forms to be used, and responsibility for misconduct. Effective 1-1-78 Approved 7-15-77

NURSING AND BOARDING HOMES

S.S. for S.B. 185

Licensed convalescent and nursing homes and boarding homes for the aged to be inspected by the division of health not less than two inspections annually, one of which shall be unannounced. Approved 7-12-77

PHARMACISTS

S.C.S. for H.B. 562

Pharmacists are included in granting an exemption from an action for damages by any person subject to the actions of hospital review, medical review, dental review, podiatry review, optometry review, pharmacy review, utilization review or peer review committee while serving in his official capacity as a member of the committee. No exemption is given if the committee action is made with malice or is not supported by creditable evidence. Approved 7-28-77

PHYSICIANS

H.B. 726 -- Doll, et al

A coroner's physician or medical examiner may retain the pituitary gland for purposes of medical research, education and therapy when he performs certain autopsies, unless a contrary indication was given by the decedent or by next of kin. Approved 7-26-77

S.S. for S.B. 48

See "Majority, Age of"

S.C.S. for S.B. 458

Repeal section of the statutes prohibiting officers, physicians, surgeons, nurses and other employees of the state cancer hospital from charging or receiving compensation from patients treated in the hospital other than that permitted by the state cancer commission. Approved 7-19-77

POLICE

- H.B. 53 -- Blassie
St. Louis city police force members may retire at age 55 after 25 years of service. Members retiring after 25 years of service cannot apply for retirement until age 55. Approved 7-6-77
- S.B. 68 -- Gant (9th)
Kansas City chief of police salary increased to \$39,896, and may receive an additional 5% per annum up to 15% total for unusual employment conditions, rapid increase in cost of living or other emergency, if the board gives unanimous consent. The board may provide (1) incentive pay for completion of academic work to any officer; (2) police officers and detectives below the rank of sergeant if their assigned duties require extraordinary performance, but not exceeding more than 25% of officers below the rank of sergeant. The board may employ the number of civilian employees it determines to be necessary. Approved 5-24-77
- S.B. 255 -- Scott, et al
Members of police force in St. Louis city increased. Pay increase for all members of the force. Increases in vacation and off-duty days, compensatory time, differential compensation, overtime, health, medical and disability insurance to be provided, and turnkeys may be added until 150 is reached, etc. (e.c.) Approved 4-28-77

PROBATION AND PAROLE

- S.B. 5 -- Merrell, et al
Probation and parole officers, salary increased to \$10,500 from \$9,000. Effective 1-1-1978. Approved 6-15-77

PROFESSIONAL ENGINEERS

- S.B. 439 -- Wiggins
Students in final year of study in an accredited school of engineering may take part one of the examination required to receive a license as a professional engineer, and then become an engineer in training, if he passes, pays the required fee and provides proof of graduation and receipt of a degree. After four years of experience, engineers in training may take part two of the examination required for licensure. Approved 6-14-77

PUBLIC OFFICERS

- H.C.S. for H.B. Nos. 493 and 458
Authorize appropriation of transition funds for use of the governor (\$100,000); lieutenant governor (\$5,000); attorney general, secretary of state, auditor and treasurer (each \$10,000), who are elected and not an incumbent in order to prepare an orderly transition of administration. Approved 7-6-77

PUBLIC OFFICERS (continued)

H.B. 520 -- Rothman

Compensation of elected state officer increased. Governor --\$55,000; lieutenant governor --\$30,000; attorney general --\$45,000; secretary of state --\$42,500; state auditor --\$42,500; and state treasurer --\$42,500. Becomes effective at start of term of office in 1981, except auditor, which becomes effective at start of term of office in 1979. Approved 6-1-77

H.B. 841 -- Rothman

Commissioner of administration and director of each state department whose salary is not established by the head of the department or the governor is to receive \$40,000. The specific educational requirements of the commissioner of administration are eliminated. Director of department of mental health is no longer required to be a physician and salary to be set by the mental health commission not to exceed \$40,000. Chief engineer of the highway commission to receive \$40,000. Director of the department of labor and industrial relations to receive \$40,000. Administrative hearing commission transferred from department of education to department of C.A.R.L. The commission is to have two commissioners rather than one, and the commissioners are to receive \$27,000. Commissioners of the state tax commission receive an increase of \$7,000. Salary of probation and parole officers to be \$10,500. Effective 1-1-1978 Approved 7-19-77

PUBLIC SERVICE COMMISSION

H.B. 217 -- Buechner, et al

Water-based fertilizer solution pipeline companies declared to be public utilities. Various utilities are permitted to condemn land to construct pipelines for transporting the fertilizer solution. Vetoeed 8-12-77

S.C.S. for H.C.S. for H.B. Nos. 42 and 157

Powers and duties of the public counsel are codified. The public counsel is permitted to file a complaint with the public service commission, to testify and present evidence, to have the P.S.C. serve an order for the production of books and records upon any corporation, person or public utility, to have access to all P.S.C. files and records, to file for a rehearing before the P.S.C., to appeal decisions, to employ a staff, to require service upon himself of all proposed tariffs, initial pleadings and applications to and all orders of the public service commission. Assigned to C.A.R.L. Approved 7-7-77

PUBLIC SERVICE COMMISSION (continued)

- H.B. 102 -- Downing, et al
Motor vehicles used exclusively to transport cotton, cottonseed and cottonseed hulls, fire clay or raw fire clay compounds, well drilling equipment, are exempt from public service commission regulations.
Vetoed 8-12-77
- S.B. 136 -- Schneider
Public service commission authorized to adopt rules governing service standards and billing practices of utility companies. A sunset provision is attached which terminates this authority on November 30, 1981.
Approved 7-18-77

RAILROADS

- H.B. 75 -- Dirck, et al
Railroads not to place immediately ahead of an occupied caboose or immediately behind an occupied locomotive railroad cars carrying loads that might shift.
Approved 6-8-77
- S.B. 230 -- Ryan and Wiggins
Repeal provisions relating to the election of directors of railroad companies or corporations and the requirement they hold an annual meeting 2nd Tuesday in March.
Approved 6-8-77

RETIREMENT BENEFITS

- H.B. 135 -- Goode
Nonteacher school employee retirement system. "Average compensation" defined. Final average salary is to be based on 5 consecutive years of creditable service rather than 10. A member who withdraws from the system may receive credit for previous creditable service if he repays with interest the amount he withdrew from the system when he first withdrew and accumulates an additional amount of creditable service. Reduced retirement benefits may be taken in lieu of that authorized if the employee wishes to choose additional retirement options made available by the bill. Approved 6-14-77
- H.B. 253 -- Marriott and Ellis, et al
Special consultants employed by the board of trustees of the state employees' retirement system or highway employees and highway patrol retirement system are required to give the board a short statement on the problems of retirement under the current monthly benefits and receive extra compensation of 4% per year. Approved 6-15-77

RETIREMENT BENEFITS (continued)

H.B. 477 -- Brown

Increase contribution rate for public school retirement system to 10 1/2 percent. Members with creditable service of at least 30 years and aged 55 may retire with full benefits. Disabled members receiving benefits but subsequently no longer disabled and seeks to withdraw his accumulated contributions shall have the amount of disability benefits deducted. No deduction is to be made of the amount due a members' beneficiary or estate. A member who is at least 60 years of age or has at least 25 years of creditable service may elect a reduced retirement allowance and various options. The estate of a deceased member is to receive any difference between the retirement benefits received and the total contributions in specified circumstances. Accumulated contributions shall be returned with interest if contributions are made for 2 years rather than the previous 5 years. Approved 7-19-77

H.B. 702 -- Marriott

Permit members of political subdivisions retirement system to take early retirement at reduced benefits. Two additional retirement benefit options are granted and another option deleted. A member may receive a temporary allowance under the new benefit options until he becomes eligible for social security, however, his allowance for life is to be reduced. Approved 7-19-77

H.B. 703 -- Marriott, et al

Authorize state highway commission-highway patrol to contribute \$12.00 per month to their employees who are members of their retirement system to a hospital, medical and insurance plan. Includes retired employees but the commission is not to make the contribution. Commission may elect to come under the insurance plans of the Mo. state employees retirement system. (e.c.) Approved 6-15-77

S.B. 159 -- Gant (16th)

Members of the Kansas City school retirement system may transfer from Plan A, the plan effective prior to October 13, 1961, to Plan B, the plan effective after October 13, 1961, at any time they elect to do so. Previously all elections to transfer were required to be completed by March 8, 1969. Approved 7-19-77

S.B. 160 -- Gant (16th)

Members of Kansas City school retirement system are given additional retirement options. Members having failed to select a retirement option prior to their death and having failed to receive benefits equal to at least his accumulated contributions at retirement shall have the difference received and accumulated contributions paid to his beneficiary, if any, or estate. Approved 7-19-77

SALES TAX

- H.B. 73 -- Dirck, et al
A sales tax exemption is granted on all amounts paid or charged for admission or participation in any place of amusement, entertainment or recreation owned or operated by a political subdivision if the individual making the payment or subject to the charge participates in the activity and if all proceeds benefit the political subdivision. An example is a municipal swimming pool which charges admission in which no sales tax would be collected. Approved 7-28-77
- H.B. 165 -- Smith (46th)
Any city, regardless of population, may levy a city sales tax. Previously, a city was required to have a population of at least 500. Approved 6-14-77
- H.B. 488 -- Jordan
Expiration date of the Kansas City mass transportation sales tax extended to December 31, 1979. Approved 6-15-77
- H.B. 489 -- Jordan
Expiration date for the transportation sales tax in Kansas City and in St. Louis county and all cities having a population of 500 or more extended to December 31, 1979. Approved 6-15-77
- S.B. 104 -- Webster
Exempt sales and use tax on the sales of materials and supplies required to install or construct machinery and equipment used for expansion, changes in product design, and air and water pollution equipment, whose sales were previously exempt from the sales and use tax. Approved 7-27-77
- H.C.S. for S.S. for S.B. 234
St. Louis county may impose a county-wide sales tax of one percent with voter approval. If adopted all city sales taxes are void. Tax to be administered by state director of revenue. Funds generated by the county sales tax are to be distributed as follows: (1) all cities and towns levying a city sales tax when the county tax becomes effective to receive the amount of the county tax collected within the city or town; (2) remaining funds distributed between the county and all cities, towns and villages not having a city sales tax with a population in excess of 400. Approved 7-27-77
- S.B. 344 -- Manford and Murray
Sales tax brackets are adjusted to reflect the increase of 1/8th cent approved by the voters for the use of the conservation commission. (e.c.) Approved 6-14-77

SALES TAX (continued)

C.C.S. for S.B. 367

The sales tax on trade-ins is computed on the amount paid in excess of the amount allowed on the trade-in if the difference between the purchase price and trade-in allowance is greater than \$200. (previously \$500) The person claiming sales tax reduction must have a bill of sale or other record stating the amount of the trade-in allowance made. No sales tax is due if the amount of the purchase price is less than the trade-in allowance. If a purchaser sells his automobile rather than trading it, he can also receive the sales tax reduction by leaving a notarized copy of the bill of sale with the director of revenue. A corporation may have any number of its divisions operate a leasing company if it meets certain requirements. Any purchaser rescinding a sale of a motor vehicle within 60 days may receive a refund of any sales tax paid to the department of revenue. The seller of the motor vehicle rescinding the sale may also receive a refund. Isolated or occasional sales of tangible personal property, service, substance or thing which has gross receipts exceeding \$3,000 in a calendar year is "business" for the purposes of the sales tax law, except if tangible personal property is sold in the course of partial or complete liquidation of a household, farm or business enterprise. The selling of computer output or microfilm for the purpose of allowing the purchaser to obtain information he desires to use is not a sale at retail for purposes of the sales tax law. Businesses need only maintain those books and records required by Title 26, U.S.C. for federal income tax purposes. Approved 7-27-77

SOIL CONSERVATION

H.B. 457 -- Sharpe, et al

Soil and water conservation subdistricts operating procedures. Subdistricts located in more than one district are to be supervised by the combined soil and water supervisors in all the districts the subdistrict is located in. Five persons are to be elected as trustees of the subdistrict. Approved 6-8-77

SCHOOLS (continued)

elections for school board members are conducted. Directors of the Kansas City board of education are to be elected on the 1st Tuesday following the 1st Monday in June of even-numbered years instead of the 3rd Tuesday in January. Vetoed 8-12-77

H.B. 260 -- Kenton

Repeal prohibition against using funds of the Missouri School Boards Association for the purpose of influencing legislation before the general assembly. Approved 6-8-77

H.S. for H.B. 541

Each school district not a part of a special school district and all special school districts are to provide special educational services for deaf children between ages 5 and 13 pursuant to rules and regulations of state board of education. A sunset amendment is attached requiring all rules promulgated pursuant to chapter 162 to be approved by the governor and general assembly. Rules and the authority to promulgate rules pursuant to this act expires November 30, 1981. Effective 9-1-78 Approved 7-19-77

H.S. for S.B. 47

Curators of the university of Missouri are not permitted to subdivide, sell or convey title to any portion of any parcel of land containing in excess of 2,500 contiguous acres. The curators are also prevented from selling, trading, conveying or permitting the severance of timber, minerals or other natural resources having a value of at least \$500 without requesting public bids. A notice of the proposed sale is to be sent to the governor, state auditor, chief clerk of the house of representatives and secretary of the senate. Approved 6-15-77

S.S. for S.B. 74

Section dealing with furnishing free textbooks to children in grades kindergarten through twelve in the public schools is revised to eliminate those provisions declared unconstitutional by the Missouri Supreme Court. Approved 6-14-77

S.B. 82 -- Tinnin

Disbursements of state aid for education are to be made by the commissioner of administration to the treasurer of each school district directly rather than to the county. Approved 7-6-77

SCHOOLS (continued)

S.B. 111 -- Bradshaw

School district moneys to be disbursed by check or orders of payment rather than by warrant. Checks may be signed with a facsimile signature. Approved 7-19-77

S.S. for S.B. 152

Only persons seeking a life teaching certificate are required to complete a course of at least two semester hours in psychology and education of the exceptional child rather than anyone granted a certificate of license to teach. (e.c.) Approved 6-14-77

S.B. 325 -- Wilson

Employees in public junior colleges, colleges and universities, except teachers at the University of Mo. and Lincoln University, who are full-time teachers, supervisors or educational administrators or are certified teachers are made members of the public school retirement system. Any employee may remain in either the nonteacher employees retirement system or the state employees system rather than becoming a member of the public school retirement system if he elects to do so within 30 days of becoming eligible for membership in the public school retirement system. Approved 7-29-77

C.C.S. for S.B. 424

School districts are not required to make up more than eight days of school lost or cancelled due to inclement weather. Act expires July 1, 1977 (e.c.) Approved 3-30-77

SPECIAL DISTRICTS

S.B. 198 -- Cox and Melton

Special purpose districts requiring voter approval to establish, may be dissolved and terminated when the governing body of the district calls an election and a majority of its members approve, or if the board receives a petition signed by 8% of the voters requesting a vote on the question. Upon voter approval district is dissolved except for payment of outstanding bonded indebtedness. Approved 6-14-77

H.B. 651 -- Page, et al

Special business districts are permitted to levy a tax on all businesses and individuals doing business within the district. If a business license tax is imposed within the district, the special district is permitted to levy a tax not to exceed 50% of the business license tax. Approved 7-15-77

TAXATION AND REVENUE (continued)

the assessed valuation of the property for five years after the maintenance is begun. Before refraining from adding the increased assessed valuation due to deferred maintenance, the assessor is to determine that the property is on the tax rolls and no delinquent taxes are due. Approved 7-18-77

S.B. 375 -- Payne

Neighborhood assistance act. Authorize a tax credit against taxes due on income, gross premium receipts or gross receipts of express companies, not to exceed one-half of the total amount the taxpayer invests in providing neighborhood assistance, job training, crime prevention, education or community services in impoverished areas of this state. All programs must be approved by the director of the division of community development. The total amount of tax credits in one year is limited with a maximum the first year of \$1,750,000 increasing in succeeding years to \$8,750,000. A sunset provision on rules and rule making authority of the director is included with an expiration date of November 30, 1981. Effective 1-1-1978. Approved 7-18-77

S.C.S. for S.B. Nos. 387, 348 and 297

Increase the amount of tax credit an elderly person may have against his state income tax. (Circuit breaker increase) Approved 7-12-77

TREASURER, STATE

H.B. 178 -- Rollins, et al

State treasurer replaces the director of revenue as secretary of the board of fund commissioners and assumes duties concerning a "scrapbook, bond or coupon register" and cancellation of bonds. Approved 7-27-77

S.S. for H.C.S. for H.B. Nos. 428 and 602

The general revenue fund, federal grant program fund and state institutions gift trust fund are created in the state treasury, and become effective July 1, 1978. Information is to be provided to the committee on fiscal affairs by all persons receiving state appropriations. The information is to be provided beginning October 1, 1977. Vetoed 8-12-77

WORKMEN'S COMPENSATION

- H.B. 182 -- Rollins, et al
Division of workmen's compensation may direct the treasurer to invest second injury fund moneys in interest bearing accounts. Any interest derived is to be credited to the second injury fund. Approved 6-8-77
- S.C.S. for S.B. 49
Employer is required to replace any prosthesis damaged or destroyed as a result of a work related injury, under workmen's compensation. References to the board of rehabilitation are removed to conform with reorganization. Approved 6-8-77
- S.B. 399 -- Panethiere, et al
Increase workmen's compensation for injured employees so that employers pay for all medical, surgical and hospital treatment necessary to cure and relieve the effects of the injury regardless of the length of time. Approved 7-26-77
- S.B. 400 -- Webster
Administrative law judge replaces referees under the industrial commission. The number of judges is raised from 16 to 18. All judges may be temporarily assigned to any branch office to insure proper administration of workmen's compensation. Approved 7-27-77